



PUBLIC NOTICE

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NOTICE CONCERNING *EX PARTE* STATUS OF FEDERAL COMMUNICATIONS COMMISSION PARTICIPATION IN THE INTEGRATED PUBLIC ALERT AND WARNING SYSTEM (IPAWS) SUBCOMMITTEE

The Integrated Public Alert and Warning System (IPAWS) Modernization Act of 2015 requires the Federal Emergency Management Agency (FEMA) to establish an IPAWS Subcommittee (Subcommittee) to FEMA's National Advisory Council (NAC).¹ The IPAWS Subcommittee will develop recommendations to the NAC for an integrated public alert and warning system.² The IPAWS Modernization Act also requires that the Chairman of the Federal Communications Commission (Chairman) or the Chairman's designee be a member of the subcommittee.³

As a member of the Subcommittee, the Chairman or the Chairman's designee may be required to participate in or attend meetings or other activities held by both the Subcommittee and its working groups. Accordingly, pursuant to section 1.1200(a) of the Commission's rules, 47 CFR § 1.1200(a), presentations to the Subcommittee, including to its working groups, any roundtable discussions sponsored by the Subcommittee, and presentations between the Subcommittee (including members of any working groups) and the Chairman or the Chairman's designee, will be treated as exempt presentations for *ex parte* purposes. This treatment is appropriate since communications to the Chairman or the Chairman's designee as Subcommittee members, like comments on a Notice of Inquiry, will not directly result in the promulgation of new rules.⁴

We recognize, however, that issues that may be addressed by the Subcommittee may also be the subject of pending FCC proceedings. The Commission will not rely in these proceedings on any information submitted to the Subcommittee, or to any of its working groups, or sponsored roundtables, or information conveyed by Subcommittee members (including members of any working groups) to the Chairman or the Chairman's designee unless that information is first placed in the record of the relevant proceeding.

Additional information regarding the Subcommittee can be found at <https://www.fema.gov/ipaws-subcommittee>. You may also contact Tony R. Robles III, Alternate Designated Federal Official for the Subcommittee at (202) 212-5644 or Tony.Robles@fema.dhs.gov; or Gregory Cooke at (202) 418-2351 or gregory.cooke@fcc.gov.

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¹ See 47 U.S.C. § 321o(b)(9) (referencing Integrated Public Alert and Warning System Modernization Act of 2015, Pub. L. No. 114-143, 130 Stat. 327, 329-32, § 2(b) (2016) (IPAWS Modernization Act)).

² IPAWS Modernization Act § 2(b)(6).

³ IPAWS Modernization Act § 2(b)(2)(B).

⁴ See 47 CFR § 1.1204(b)(1) (exempt treatment of presentations regarding a Notice of Inquiry).